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83^d CONGRESS
1ST SESSION

H. R. 2512

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1953

Mr. BARTLETT introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to provide for the purchase
4 of public lands for home and other sites", approved June 1,
5 1938 (52 Stat. 609), as amended by the Act approved
6 July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is
7 amended to read as follows:

8 "That the Secretary of the Interior, in his discretion, is
9 authorized to sell or lease to any person or organization
10 described in section 3 of this Act a tract of not exceeding

1 five acres of any vacant, unreserved public lands, public
2 lands withdrawn by Executive Orders Numbered 6910 of
3 November 26, 1934, and 6964 of February 5, 1935, for
4 classification, or public lands withdrawn or reserved by
5 the Secretary of the Interior for any purposes, which the
6 Secretary may classify as chiefly valuable for residence, recre-
7 ation, business, or community site purposes, if he finds that
8 such sale or lease of the lands would not unreasonably inter-
9 fere with the use of water for grazing purposes nor unduly
10 impair the protection of watershed areas, in reasonably com-
11 pact form and under such rules and regulations as he may
12 prescribe, at a price to be determined by him, for such use:
13 *Provided*, That no land may be sold hereunder unless it has
14 been surveyed. No person or organization shall be per-
15 mitted to purchase or lease more than one tract under the
16 provisions of this Act, except upon a showing of good faith
17 and reasons satisfactory to the Secretary.

18 "SEC. 2. No tract shall be sold for less than the cost
19 of making any survey necessary to describe properly the
20 land sold. Patents for all tracts purchased under the pro-
21 visions of this Act shall contain a reservation to the United
22 States of the oil, gas, and all other mineral deposits together
23 with the right to prospect for, mine, and remove the same
24 under applicable law and such regulations as the Secretary
25 may prescribe.

1 “SEC. 3. A lease may be issued or a sale made under
2 this Act to any of the following: (a) An individual who
3 is a citizen of the United States, or who has filed his declara-
4 tion of intention to become a citizen as required by the
5 naturalization laws; (b) a partnership or an association,
6 each of the members of which is a citizen of the United
7 States or has filed a declaration of intention to become a
8 citizen; (c) a corporation, including nonprofit corporations,
9 organized under the laws of the United States, or of any
10 State or Territory thereof, and authorized to do business
11 in the State or Territory in which the land is located; (d)
12 a State, Territory, municipality, or other governmental
13 subdivision.

14 “SEC. 4. Any employee of the Department of the In-
15 terior, stationed in Alaska, notwithstanding such employ-
16 ment, may, in the discretion of the Secretary, purchase or
17 lease under this Act one tract for residence purposes in the
18 Territory of Alaska.

19 “SEC. 5. The authority to lease lands under this Act
20 shall extend to the revested Oregon and California Railroad
21 and reconveyed Coos Bay Wagon Road grant lands situated
22 in the State of Oregon and under the jurisdiction of the
23 Department of the Interior.”

A BILL

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

By Mr. BARTLETT

FEBRUARY 3, 1953

Referred to the Committee on Interior and Insular
Affairs

AMENDING THE ACT ENTITLED "AN ACT TO PROVIDE FOR THE
PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES"
APPROVED JUNE 1, 1938 (52 STAT. 609), AS AMENDED

MAY 5, 1953.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. MILLER of Nebraska, from the Committee on Interior and Insular
Affairs, submitted the following

REPORT

[To accompany H. R. 2512]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendment is as follows:

Page 3, line 17, following the word "residence", add the following words: "or recreation".

EXPLANATION OF THE BILL

The purpose of this bill is to make certain amendments to the Small Tract Act of June 1, 1938, extending its application and facilitating its administration. No expenditure of Federal funds would be required by its enactment.

Existing law provides for the lease or sale to qualified citizens of surveyed public lands in tracts of 5 acres or less for home, cabin, camp, health, convalescent, recreational, or business sites. This bill adds community-site purposes to those for which sites may be leased or sold. This would include municipal uses as well as such common public uses as general meetings and educational, civic, and religious activities.

The Small Tract Act includes Alaska but is of little practical application since most of Alaska is unsurveyed. H. R. 2512 partially extends the act to unsurveyed lands by authorizing the Secretary of the Interior

to lease them for purposes within the act's scope. Sales still would be limited to surveyed lands.

The description of classifications for qualified purchasers or lessees is simplified in this proposed legislation. The present requirement that any purchaser or lessee must be 21 years of age would be removed.

H. R. 2512 also would extend the Small Tract Act, for leasing only, to the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon that are under the jurisdiction of the Department of the Interior.

Although the Department of the Interior has not yet reported formally on this bill, representatives of the Bureau of Land Management recommended its enactment at recent hearings before a subcommittee of the Committee on Interior and Insular Affairs. The Director of the Bureau testified that the passage of H. R. 2512 would be in the public welfare and interest, stating that in the past many worthy civic and philanthropic associations and nonprofit corporations had applied for tracts but could not qualify under the present limited applicability of the act.

Similar bills passed the House in both the 80th and 81st Congresses but, in each instance, failed to receive Senate approval before adjournment. In the 82d Congress, the measure was introduced as the result of an executive communication from the Department of the Interior. The executive communication is set forth below in full and further explains the purpose of the legislation:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington 25, D. C., December 17, 1951.

Hon. SAM RAYBURN,

Speaker of the House of Representatives, Washington 25, D. C.

MY DEAR MR. SPEAKER: Enclosed is a draft of a proposed bill to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended.

I respectfully request that the proposed bill be referred to the appropriate committee for consideration, and I recommend that it be enacted.

The proposed bill is identical with H. R. 2820, which passed the House of Representatives in the 81st Congress on April 4, 1949. However, it was not acted on by the Senate before adjournment.

The existing act provides for the lease or sale of surveyed public lands in tracts of 5 acres or less for home, cabin, camp, health, convalescent, recreational, or business sites by natural persons who are heads of families or are over 21 years of age and are citizens of the United States or have filed declarations of intention to become citizens. It does not permit such lease or sale to associations or corporations.

The proposed amendment would partially extend the act to unsurveyed lands by authorizing the Secretary of the Interior to lease them for purposes within the scope of the act. If the proposed bill is enacted, it is contemplated that the Secretary would, by regulation, require that applicants on unsurveyed lands file adequate descriptions of the land in the local land office and that lessees for such lands stake out their premises clearly with adequate markers and monuments. However, under the bill, sale of surveyed lands only would be authorized. Upon the extension of the surveys to the leased unsurveyed areas, minor adjustments could be made, if necessary, and the lessee, if otherwise qualified, would be able to acquire title to the land by purchase.

The amendment also adds community-site purposes to those for which sites may be leased or sold. The term "community-site purposes" would include municipal uses as well as such common public uses as general meetings and educational, civic, and religious activities. The number of classes of use for which the tracts may be leased or sold is reduced from the present unwieldy 7 to 4 primary categories—residence, recreation, business, and community sites. This classification is broad enough to encompass within their scope the other uses

enumerated in the existing act. The amendment would simplify the administration of the act and would provide greater flexibility in classification for lease or sale purposes.

The proposed amendment would insert in the statute a new clause which allows the issuance of a lease or sale only if the Secretary finds that such lease or sale would not unreasonably interfere with the use of water for grazing purposes or would not unduly impair the protection of the watershed areas.

The amendment would also extend the benefits of the act to associations, corporations, both profit and nonprofit, States, Territories, municipalities, or other governmental subdivisions by making them eligible to lease or purchase for an appropriate purpose.

In the past many civic and philanthropic associations and nonprofit corporations, as well as governmental units and corporations organized for profit, have applied but because of the present limited applicability of the act, were unable to acquire tracts for purposes within its scope and which would further the public welfare and interest.

Further, the amendment would eliminate the present requirement that an individual lessee or purchaser be the head of a family or over 21 years of age. This discriminatory provision is a carryover from the homestead laws and is not properly applicable to the purposes of this act. A bona fide applicant, especially a returning veteran, as is true in many cases, who desires a small tract for residence, recreation, or business purposes, if otherwise qualified, should not be banned merely because he is under 21 years of age or not the head of a family.

The present provision, permitting employees of the Department of the Interior stationed in Alaska to purchase or lease one tract in the Territory, except for business purposes, would be amended to provide that such lease or purchase could be made for residence purposes. This was the objective of the present proviso, but because of the complexity of the existing classification the present language was used in the act. With the classifications simplified as proposed herein the restriction of such purchase or lease to residence purposes solely would be proper.

The Small Tract Act is not presently applicable to the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, the administration of which under the act of August 28, 1937 (50 Stat. 874), has been placed under the Secretary of the Interior. The proposed amendment would extend to these lands the benefits of the Small Tract Act but only so far as leasing is concerned. The sale of small tracts in these reconveyed lands is undesirable because it would interfere with the maintenance of the timber culture and recreational facilities.

The phrase in the first section "or public lands withdrawn or reserved by the Secretary of the Interior for any purpose" is derived from the first paragraph of the 1938 act, *supra*. It is not intended that the phrase shall include withdrawals made pursuant to the general delegation of authority to the Secretary made by the President's Executive Order No. 9337 of April 24, 1943.

The Bureau of the Budget has advised this Department that there is no objection to this proposed legislation.

Sincerely yours,

DALE E. DOTY,
Assistant Secretary of the Interior.

A BILL To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended by the Act approved July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a), is amended to read as follows:

"That the Secretary of the Interior, in his discretion, is authorized to sell or lease to any person or organization described in section 3 of this Act a tract of not exceeding five acres of any vacant, unreserved public lands, public lands withdrawn by Executive Orders Numbered 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, or public lands withdrawn or reserved by the Secretary of the Interior for any purposes, which the Secretary may classify as chiefly valuable for residence, recreation, business, or community site purposes, if he finds that such sale or lease of the lands would not unreasonably interfere with the use of water for grazing purposes nor unduly impair the protection of watershed areas, in reasonably compact form and under such rules and regulations as he may prescribe, at a price to be determined by him, for such use: *Provided,*

That no land may be sold hereunder unless it has been surveyed. No person or organization shall be permitted to purchase or lease more than one tract under the provisions of this Act, except upon a showing of good faith and reasons satisfactory to the Secretary.

"SEC. 2. No tract shall be sold for less than the cost of making any survey necessary to describe properly the land sold. Patents for all tracts purchased under the provisions of this Act shall contain a reservation to the United States of the oil, gas, and all other mineral deposits together with the right to prospect for, mine, and remove the same under applicable law and such regulations as the Secretary may prescribe.

"SEC. 3. A lease may be issued or a sale made under this Act to any of the following: (a) an individual who is a citizen of the United States, or who has filed his declaration of intention to become a citizen as required by the naturalization laws; (b) a partnership or an association, each of the members of which is a citizen of the United States or has filed a declaration of intention to become a citizen; (c) a corporation, including nonprofit corporations, organized under the laws of the United States, or of any State or Territory thereof, and authorized to do business in the State or Territory in which the land is located; (d) a State, Territory, municipality, or other governmental subdivision.

"SEC. 4. Any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease under this Act one tract for residence purposes in the Territory of Alaska.

"SEC. 5. The authority to lease lands under this Act shall extend to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon and under the jurisdiction of the Department of the Interior."

Section 4 of H. R. 2512 has been amended by the committee to permit Interior employees in Alaska to acquire, in the discretion of the Secretary, a tract either for recreation or for residence purposes.

The Committee on Interior and Insular Affairs unanimously recommends the enactment of H. R. 2512 as amended.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as amended, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

AN ACT TO PROVIDE FOR THE PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES. APPROVED JUNE 1, 1938 (52 STAT. 609), AS AMENDED BY THE ACT APPROVED JULY 14, 1945 (59 STAT. 467; 43 U. S. C. SEC. 682a)

That the Secretary of the Interior, in his discretion, is authorized to sell or lease to any person [who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who has filed his declaration of intention to become such a citizen, as required by the naturalization laws] *or organization described in section 3 of this Act* a tract of not exceeding five acres of any vacant, unreserved [surveyed] public [land,] *lands* [or surveyed public land withdrawn or reserved by the Secretary of the Interior for any other purposes, or surveyed], *public lands* withdrawn by Executive Orders Numbered 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, *or public lands withdrawn or reserved by the Secretary of the Interior for any purposes*, which the Secretary may classify as chiefly valuable [as a home, cabin, camp, health, convalescent, recreational, or business site] *for residence, recreation, business, or community site purposes, if he finds that such sale or lease of the lands would not unreasonably interfere with the use of water for grazing purposes nor unduly impair the protection of watershed areas*, in reasonably compact form and under such rules and regulations as he may prescribe, at a price to be determined by him, for such use: *Provided*, That no [tract shall] *land* may be sold [for less than the cost of making any survey necessary to properly describe the land sold; that no] *hereunder unless it has been surveyed*. No person or organization shall

be permitted to purchase or lease more than one tract under the provisions of this Act, except upon a showing of good faith and reasons satisfactory to the Secretary. [, and that patents]

SEC. 2. *No tract shall be sold for less than the cost of making any survey necessary to describe property the land sold. Patents for all tracts purchased under the provisions of this Act shall contain a reservation to the United States of the oil, gas, and all other mineral deposits, together with the right to prospect for, mine, and remove the same under applicable law and such regulations as the Secretary may prescribe. [Provided further, That any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may in the discretion of the Secretary, purchase or lease one such tract in the Territory of Alaska, except business sites, under this Act.]*

SEC. 3. *A lease may be issued or a sale made under this Act to any of the following: (a) An individual who is a citizen of the United States, or who has filed his declaration of intention to become a citizen as required by the naturalization laws; (b) a partnership or an association, each of the members of which is a citizen of the United States or has filed a declaration of intention to become a citizen; (c) a corporation, including non-profit corporations, organized under the laws of the United States, or of any State or Territory thereof, and authorized to do business in the State or Territory in which the land is located; (d) a State, Territory, municipality, or other governmental subdivision.*

SEC. 4. *Any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease under this Act one tract for residence or recreation purposes in the Territory of Alaska.*

SEC. 5. *The authority to lease lands under this Act shall extend to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon and under the jurisdiction of the Department of the Interior.*



83^D CONGRESS
1ST SESSION

H. R. 2512

[Report No. 344]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1953

Mr. BARTLETT introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

MAY 5, 1953

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

A BILL

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5 1938 (52 Stat. 609), as amended by the Act approved
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9 authorized to sell or lease to any person or organization
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1 five acres of any vacant, unreserved public lands, public
2 lands withdrawn by Executive Orders Numbered 6910 of
3 November 26, 1934, and 6964 of February 5, 1935, for
4 classification, or public lands withdrawn or reserved by
5 the Secretary of the Interior for any purposes, which the
6 Secretary may classify as chiefly valuable for residence, recre-
7 ation, business, or community site purposes, if he finds that
8 such sale or lease of the lands would not unreasonably inter-
9 fere with the use of water for grazing purposes nor unduly
10 impair the protection of watershed areas, in reasonably com-
11 pact form and under such rules and regulations as he may
12 prescribe, at a price to be determined by him, for such use:
13 *Provided*, That no land may be sold hereunder unless it has
14 been surveyed. No person or organization shall be per-
15 mitted to purchase or lease more than one tract under the
16 provisions of this Act, except upon a showing of good faith
17 and reasons satisfactory to the Secretary.

18 “SEC. 2. No tract shall be sold for less than the cost
19 of making any survey necessary to describe properly the
20 land sold. Patents for all tracts purchased under the pro-
21 visions of this Act shall contain a reservation to the United
22 States of the oil, gas, and all other mineral deposits, together
23 with the right to prospect for, mine, and remove the same
24 under applicable law and such regulations as the Secretary
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2 this Act to any of the following: (a) An individual who
3 is a citizen of the United States, or who has filed his declara-
4 tion of intention to become a citizen as required by the
5 naturalization laws; (b) a partnership or an association,
6 each of the members of which is a citizen of the United
7 States or has filed a declaration of intention to become a
8 citizen; (c) a corporation, including nonprofit corporations,
9 organized under the laws of the United States, or of any
10 State or Territory thereof, and authorized to do business
11 in the State or Territory in which the land is located;
12 (d) a State, Territory, municipality, or other governmental
13 subdivision.

14 “SEC. 4. Any employee of the Department of the In-
15 terior, stationed in Alaska, notwithstanding such employ-
16 ment, may, in the discretion of the Secretary, purchase or
17 lease under this Act one tract for residence *or recreation*
18 purposes in the Territory of Alaska.

19 “SEC. 5. The authority to lease lands under this Act
20 shall extend to the revested Oregon and California Railroad
21 and reconveyed Coos Bay Wagon Road grant lands situated
22 in the State of Oregon and under the jurisdiction of the
23 Department of the Interior.”

83^d CONGRESS
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[Report No. 344]

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 20, 1953

For actions of May 19, 1953

83rd-1st, No. 91

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House debated agricultural appropriation bill. General debate was concluded, and bill is to be read for amendment today. Senate passed economic controls bill. Senate passed measure for Foreign Economic Policy Commission. Senate committees reported bills excluding major officials from leave law and creating Joint Budget Committee.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1954. Began debate on this bill, H. R. 5227 (pp. 5317-49). General debate was concluded, and the bill is to be read for amendment today.
2. PUBLIC LANDS. Passed as reported H. R. 2512, to amend the Small Tract Act of 1938 (authorizing lease or sale of 5 acres or less of public lands for certain purposes) so as to extend its application and facilitate its administration (p. 5297).
Passed as reported H. R. 1815, to extend the scope of the Recreation Act, which authorizes Interior to sell or lease public lands to States and subdivisions for recreational uses (pp. 5298-9).
3. FOREIGN AID. Passed without amendment H. R. 2312, to repeal Public Law 820, 80th Congress, providing a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold (p. 5297).
4. FOREIGN TRADE. Rep. Rogers, Mass., spoke in favor of protection of domestic industry through adequate tariffs (pp. 5353-4).
5. COMMITTEE ASSIGNMENT. Rep. Tuck, Va., was elected to the Post Office and Civil Service Committee (p. 5294).
6. ELECTRIFICATION. Rep. Pfof claimed most Republicans are against "low-cost public power" (pp. 5305-6).
7. EDUCATION APPROPRIATIONS. Rep. Brown, Ga., spoke against cuts in vocational-education items in the Labor-HEW appropriation bill (pp. 5351-3).
8. LABOR-HEW APPROPRIATION BILL, 1954. In reporting this bill, H. R. 5246 (see

August 20), the Appropriations Committee included the following statements in its report:

Mexican Farm Labor Program. "The committee has serious misgivings about this program, which guarantees to foreign agricultural workers coming into this country many things such as medical care for sickness or injury incurred on the job, minimum wages, adequate living quarters, etc., which are not guaranteed to our own citizens. It provides a labor recruitment program for farmers in one part of our country, while farmers on our East Coast pay for their own recruitment of laborers from outside the Continental United States. However, in view of the recent approval of an extension of the basic legislation by a large majority of the House of Representatives, the committee is recommending a continuation of appropriations. The bill includes \$1,150,000 for the first six months' operation of the program, plus \$100,000 for program liquidation if the agreement with Mexico, which expires December 31, 1953, is not extended. This is a reduction of \$490,000 from the request."

Education. "Promotion and further development of vocational education.-- The bill includes \$16,048,870, a reduction of \$2,624,391 from the request and from the appropriation for 1953... The committee is in agreement with the Bureau of the Budget and the Secretary in their belief that this program has matured to the point where its 'promotion and further development' should gradually be turned over to the States."

"Further endowment of colleges of agriculture and mechanic arts.-- The bill includes no amounts for this item. This is a reduction of \$2,501,500 from the estimate and \$2,480,000 from the 1953 appropriation."

Up-Grading. "The committee is very much concerned with the general tendency in both the Department of Labor and the Department of Health, Education, and Welfare continually to up-grade jobs and to apply reductions in personnel primarily in the lower grades... If this trend continues, the committee will give serious consideration to placing a limitation in the bill next year to force correction."

Automobiles. "The committee has disallowed all requests for authority to purchase automobiles, either as additions to the fleet or as replacements."

Publications. "The committee strongly urges the new Secretary (of HEW) to maintain a closer control over the publications of the Department than has been maintained in the past."

SENATE

9. ECONOMIC CONTROLS. Passed with amendments S. 1081, providing for temporary economic controls, after substituting therefor a modified committee amendment in the nature of a substitute, as amended. Adopted, 45-41, a Byrd amendment restricting the President's authority to impose standby wage-price controls unless Congress has declared war or has found that a grave national emergency exists; and a Young amendment establishing a formula for ceiling prices on farm products at not less than the parity. Rejected, 26-61, a Bricker amendment to eliminate the provisions for standby price-wage controls. (pp. 5260-85.)
10. INFORMATION. The Post Office and Civil Service Committee reported without amendment S. 971, to authorize films and related material for educational use to be transmitted through the mails at the rate provided for books (S. Rept. 293) (p. 5259).
11. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H.R. 4654, to provide for the exemption from the Annual and Sick Leave Act of 1951 of certain officers in the executive branch (S. Rept. 294) (p. 5259).

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

[Mr. BENDER'S remarks will appear hereafter in the Appendix.]

PROVIDING FOR PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES

The Clerk called the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for home and other sites."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, will the Delegate from Alaska answer a question please with regard to this bill? I note there are not up-to-date reports before the committee on this bill. However, similar bills passed the House in both the 80th and 81st Congresses. I wish to inquire of the gentleman whether or not there were complete reports in the 80th and 81st Congresses on the similar measure which passed the House.

Mr. BARTLETT. There were at that time.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended by the act approved July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is amended to read as follows:

"That the Secretary of the Interior, in his discretion, is authorized to sell or lease to any person or organization described in section 3 of this act a tract of not exceeding 5 acres of any vacant, unreserved public lands, public lands withdrawn by Executive Orders Nos. 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, or public lands withdrawn or reserved by the Secretary of the Interior for any purposes, which the Secretary may classify as chiefly valuable for residence, recreation, business, or community site purposes, if he finds that such sale or lease of the lands would not unreasonably interfere with the use of water for grazing purposes nor unduly impair the protection of watershed areas, in reasonably compact form and under such rules and regulations as he may prescribe, at a price to be determined by him, for such use: *Provided*, That no land may be sold hereunder unless it has been surveyed. No person or organization shall be permitted to purchase or lease more than one tract under the provision of this act, except upon a showing of good faith and reasons satisfactory to the Secretary.

"Sec. 2. No tract shall be sold for less than the cost of making any survey necessary to describe properly the land sold. Patents for all tracts purchased under the provisions of this act shall contain a reservation to the United States of the oil, gas, and all other mineral deposits, together with the right to prospect for, mine, and remove the same under applicable law and such regulations as the Secretary may prescribe.

"Sec. 3. A lease may be issued or a sale made under this act to any of the following:

(a) An individual who is a citizen of the United States, or who has filed his declaration of intention to become a citizen as required by the naturalization laws; (b) a partnership or an association, each of the members of which is a citizen of the United States or has filed a declaration of intention to become a citizen; (c) a corporation, including nonprofit corporations, organized under the laws of the United States, or of any State or Territory thereof, and authorized to do business in the State or Territory in which the land is located; (d) a State, Territory, municipality, or other governmental subdivision.

"Sec. 4. Any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease under this act one tract for residence or recreation purposes in the Territory of Alaska.

"Sec. 5. The authority to lease lands under this act shall extend to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon and under the jurisdiction of the Department of the Interior."

With the following committee amendment:

Page 3, line 17, following the word "residence", add the following words: "or recreation."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PURCHASE OF AGRICULTURAL COMMODITIES

The Clerk called the bill (H. R. 2312) to repeal Public Law 820, 80th Congress (62 Stat. 1098), entitled "An act to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 820, 80th Congress (62 Stat. 1098), entitled "An act to provide a revolving fund for the purchase of agricultural commodities and raw materials to be processed in occupied areas and sold," is hereby repealed.

Sec. 2. This act shall take effect on June 30, 1953.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. BROOKS of Louisiana asked and was given permission to extend his remarks at this point.)

[Mr. BROOKS' of Louisiana remarks will appear hereafter in the Appendix.]

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

The Clerk called the bill (H. R. 2314) to authorize the Secretary of the Navy to convey to the Tarrant County Water Control and Improvement District No. 1 certain parcels of land in exchange for other lands and interests therein at the former United States Marine Corps Air Station, Eagle Mountain Lake, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, an identical bill has already been passed by the other body. Therefore, I ask unanimous consent for the present consideration of the bill (S. 1525) to authorize the Secretary of the Navy to convey to the Tarrant County Water Control and Improvement District No. 1 certain parcels of land in exchange for other lands and interests therein at the former United States Marine Corps Air Station, Eagle Mountain Lake, Tex., an identical bill to H. R. 2314 in lieu of said House bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in consideration of the conveyance to the United States of America by the Tarrant County Water Control and Improvement District No. 1, of fee simple title to two certain parcels of land and avigation easement rights in other lands described in section 2 hereof, the Secretary of the Navy is authorized to convey to the said Tarrant County Water Control and Improvement District No. 1, all right, title, and interest of the United States of America in and to three parcels of land at the former United States Marine Corps Air Station, Eagle Mountain Lake, Tex., comprising an aggregate of two hundred twenty-five and five one-hundredths acres, more or less, and indicated as sections 1, 2, and 3 of area D on Public Works Drawing No. 4847 approved February 10, 1950, a copy of which is on file in the Navy Department, reserving however, to the United States of America, avigation easement rights and such other rights in, to, and over said lands as the Secretary of the Navy may deem proper.

Sec. 2. The Secretary of the Navy is authorized to accept the conveyance to the United States of America by the said Tarrant County Water Control and Improvement District No. 1 of fee simple title to two parcels of land at the said former United States Marine Corps Air Station, Eagle Mountain Lake, Tex., containing an aggregate area of two hundred forty-four and thirty one-hundredths acres, more or less, and indicated as areas A and B on said Public Works drawing No. 4847, together with perpetual avigation easement rights acceptable to the Secretary of the Navy over other lands of the said district lying in the flight clearance zone of the east-west runway of the said air station.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar bill, H. R. 2314, was laid on the table.

FORT BELVOIR, VA.

The Clerk called the bill (H. R. 2315) to retrocede to the State of Virginia concurrent jurisdiction over certain highways within Fort Belvoir, Va.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, a similar situation exists with regard to this bill. A Senate bill, S. 1549, which is identical to the House bill, has already been passed by the other body. Therefore, Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1549) to retrocede to the State

of Virginia concurrent jurisdiction over certain highways within Fort Belvoir, Va., in lieu of the House bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That there is hereby granted to the State of Virginia a retrocession of jurisdiction over portions of highways described below within the Fort Belvoir Military Reservation to the extent that all laws of the State and all laws of the United States shall be applicable thereon and the United States and the State shall exercise concurrent jurisdiction thereover: United States Highway No. 1 between the easterly and westerly boundaries of the reservation, Virginia Highway No. 617 from Accotink to the northwesterly boundary of the reservation, Virginia Highway No. 618 between United States Highway No. 1 and Virginia Highway No. 613, Virginia Highway No. 613 from its intersection with Virginia Highway No. 611 (also known as Telegraph Road) to its intersection with Virginia Highway No. 618, and over the following area: Beginning at the intersection of the center lines of Virginia Highway Nos. 613 and 617; thence westerly at right angles to the center line of Highway No. 617, four feet; thence north forty degrees west two hundred thirty-two and forty-seven one-hundredths feet to center of bridge; thence north fifty degrees east forty-four feet to a point in stream; thence south forty degrees east one hundred eighty-eight and forty-seven one-hundredths feet to a point in Highway No. 613; thence south five degrees west sixty-two and twenty-three one-hundredths feet to point of beginning. This legislation is to be effective only as to those portions of the highways and area indicated herein over which the United States has heretofore acquired exclusive jurisdiction and shall not affect portions of such highways and area, if any, over which exclusive or concurrent jurisdiction is now vested in the State of Virginia. The general location of the numbered highways and the bounded area are shown on a map designated: War Department, O. C. E., Construction Division, Real Estate, Fort Belvoir Layout Map, approved September 22, 1944, Drawing No. MAD 37, on file in the Office, Chief of Engineers, Department of the Army.

Sec. 2. The retrocession of jurisdiction provided for in section 1 of this act shall take effect upon the acceptance thereof by the Legislature of the State of Virginia.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 2315, was laid on the table.

SUPPLIES AND SERVICES TO FOREIGN NAVAL VESSELS

The Clerk called the bill (H. R. 2317) to authorize the Secretary of the Navy to furnish certain supplies and services to foreign vessels on a reimbursable basis, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, the Senate bill, S. 1524, which has been already passed by the other body is identical to H. R. 2317. Therefore, I ask unanimous consent for the present consideration of the bill (S. 1524) to authorize the Secretary of the Navy to furnish

certain supplies and services to foreign naval vessels on a reimbursable basis, and for other purposes, in lieu of the House bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Navy, under such regulations as he may prescribe, is authorized to furnish foreign naval vessels at United States ports and naval bases—

(1) routine port services such as pilotage, tugs, garbage removal, line handling, and utilities on a reimbursable basis without an advance of funds when such routine port services are furnished on a like basis to United States naval vessels at ports and naval bases of the country concerned;

(2) miscellaneous supplies such as fuel, provisions, spare parts, and general stores on a reimbursable basis without an advance of funds when a prior agreement conferring reciprocal rights on the United States and covering the reimbursement therefor has been negotiated with the country concerned; and

(3) supplies and services such as overhauling, repairs, and alterations, including the installation of equipment, when funds to cover the estimated cost thereof have been made available in advance.

Sec. 2. Payments for the supplies and services furnished pursuant to paragraphs (1) and (2) of the first section of this act may be credited to current appropriations so as to be available for the same purposes as the appropriation initially charged.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 2317, was laid on the table.

JURISDICTION OVER CERTAIN HIGHWAYS IN FORT SILL

The Clerk called the bill (H. R. 4554) to retrocede to the State of Oklahoma concurrent jurisdiction over the right-of-way for United States Highways 62 and 277 within the Fort Sill Military Reservation, Okla.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 1641) which has already passed the Senate, be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That there is hereby granted to the State of Oklahoma a retrocession of jurisdiction over that part of the Fort Sill Military Reservation for which permission to use as a highway right-of-way for United States Highways 62 and 277, 80 feet in width, with necessary borrow pits, was granted to the State of Oklahoma by the Assistant Secretary of War by permit dated October 13, 1932. This retrocession of jurisdiction is granted to the extent that all laws of the State and all laws of the United States shall be applicable within the entire area

included within the said permit and the United States and the State shall exercise concurrent jurisdiction thereover.

SEC. 2. The retrocession of jurisdiction granted shall be effective upon the acceptance thereof by the Legislature of the State of Oklahoma.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 4554, was laid on the table.

TO AMEND RECREATION ACT OF JUNE 14, 1926

The Clerk called the bill (H. R. 1815) to amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), entitled "An act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes," is hereby amended to read as follows:

"SECTION 1. (a) The Secretary of the Interior upon application filed by a duly qualified applicant under section 2 of this act may, in the manner prescribed by this act, dispose of any public lands to a State, Territory, county, municipality, or other State, Territorial, or Federal instrumentality or political subdivision for any public purposes, or to a nonprofit corporation or nonprofit association for any recreational or any public purpose consistent with its articles of incorporation or other creating authority. Before the land may be disposed of under this act for a purpose other than a recreational purpose, it must be shown to the satisfaction of the Secretary that the land is to be used for an established or definitely proposed project.

"(b) No more than 640 acres may be conveyed to any 1 grantee in any 1 calendar year.

"(c) Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this act only with the consent of such Federal department or agency, or of such State, Territory, or local governmental unit. Nothing in this act shall be construed to apply to lands in any national forest, national park, or national monument, or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians. Nor shall any disposition be made under this act for any use authorized under any other law, except for a use authorized under the act of June 1, 1938 (52 Stat. 609; 43 U. S. C., sec. 682a), as amended.

"Sec. 2. The Secretary of the Interior may after due consideration as to the power value of the land, whether or not withdrawn therefor, (a) sell such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, and conveyances of such land for historic-monument purposes under this subsection shall be made without monetary consideration, while conveyances for any other pur-

83^D CONGRESS
1ST SESSION

H. R. 2512

IN THE SENATE OF THE UNITED STATES

MAY 20 (legislative day, MAY 15), 1953

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That the Act entitled "An Act to provide for the purchase
4 of public lands for home and other sites", approved June 1,
5 1938 (52 Stat. 609), as amended by the Act approved
6 July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is
7 amended to read as follows:

8 "That the Secretary of the Interior, in his discretion, is
9 authorized to sell or lease to any person or organization
10 described in section 3 of this Act a tract of not exceeding

1 five acres of any vacant, unreserved public lands, public
2 lands withdrawn by Executive Orders Numbered 6910 of
3 November 26, 1934, and 6964 of February 5, 1935, for
4 classification, or public lands withdrawn or reserved by
5 the Secretary of the Interior for any purposes, which the
6 Secretary may classify as chiefly valuable for residence, recre-
7 ation, business, or community site purposes, if he finds that
8 such sale or lease of the lands would not unreasonably inter-
9 fere with the use of water for grazing purposes nor unduly
10 impair the protection of watershed areas, in reasonably com-
11 pact form and under such rules and regulations as he may
12 prescribe, at a price to be determined by him, for such use:
13 *Provided*, That no land may be sold hereunder unless it has
14 been surveyed. No person or organization shall be per-
15 mitted to purchase or lease more than one tract under the
16 provisions of this Act, except upon a showing of good faith
17 and reasons satisfactory to the Secretary.

18 “SEC. 2. No tract shall be sold for less than the cost
19 of making any survey necessary to describe properly the
20 land sold. Patents for all tracts purchased under the pro-
21 visions of this Act shall contain a reservation to the United
22 States of the oil, gas, and all other mineral deposits, together

1 with the right to prospect for, mine, and remove the same
2 under applicable law and such regulations as the Secretary
3 may prescribe.

4 “SEC. 3. A lease may be issued or a sale made under
5 this Act to any of the following: (a) An individual who
6 is a citizen of the United States, or who has filed his declara-
7 tion of intention to become a citizen as required by the
8 naturalization laws; (b) a partnership or an association,
9 each of the members of which is a citizen of the United
10 States or has filed a declaration of intention to become a
11 citizen; (c) a corporation, including nonprofit corporations,
12 organized under the laws of the United States, or of any
13 State or Territory thereof, and authorized to do business
14 in the State or Territory in which the land is located;
15 (d) a State, Territory, municipality, or other governmental
16 subdivision.

17 “SEC. 4. Any employee of the Department of the In-
18 terior, stationed in Alaska, notwithstanding such employ-
19 ment, may, in the discretion of the Secretary, purchase or
20 lease under this Act one tract for residence or recreation
21 purposes in the Territory of Alaska.

22 “SEC. 5. The authority to lease lands under this Act

1 shall extend to the revested Oregon and California Railroad
2 and reconveyed Coos Bay Wagon Road grant lands situated
3 in the State of Oregon and under the jurisdiction of the
4 Department of the Interior.”

Passed the House of Representatives May 19, 1953.

Attest:

LYLE O. SNADER,

Clerk.

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

MAY 20 (legislative day, MAY 15), 1953

Read twice and referred to the Committee on Interior
and Insular Affairs

83^D CONGRESS
1ST SESSION

H. R. 2512

IN THE SENATE OF THE UNITED STATES

MAY 20 (legislative day, MAY 15), 1953

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AN ACT

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2 *tives of the United States of America in Congress assembled,*
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5 1938 (52 Stat. 609), as amended by the Act approved
6 July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is
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3 November 26, 1934, and 6964 of February 5, 1935, for
4 classification, or public lands withdrawn or reserved by
5 the Secretary of the Interior for any purposes, which the
6 Secretary may classify as chiefly valuable for residence, recre-
7 ation, business, or community site purposes, if he finds that
8 such sale or lease of the lands would not unreasonably inter-
9 fere with the use of water for grazing purposes nor unduly
10 impair the protection of watershed areas, in reasonably com-
11 pact form and under such rules and regulations as he may
12 prescribe, at a price to be determined by him, for such use:
13 *Provided*, That no land may be sold hereunder unless it has
14 been surveyed. No person or organization shall be per-
15 mitted to purchase or lease more than one tract under the
16 provisions of this Act, except upon a showing of good faith
17 and reasons satisfactory to the Secretary.

18 "SEC. 2. No tract shall be sold for less than the cost
19 of making any survey necessary to describe properly the
20 land sold. Patents for all tracts purchased under the pro-
21 visions of this Act shall contain a reservation to the United
22 States of the oil, gas, and all other mineral deposits, together

1 with the right to prospect for, mine, and remove the same
2 under applicable law and such regulations as the Secretary
3 may prescribe.

4 “SEC. 3. A lease may be issued or a sale made under
5 this Act to any of the following: (a) An individual who
6 is a citizen of the United States, or who has filed his declara-
7 tion of intention to become a citizen as required by the
8 naturalization laws; (b) a partnership or an association,
9 each of the members of which is a citizen of the United
10 States or has filed a declaration of intention to become a
11 citizen; (c) a corporation, including nonprofit corporations,
12 organized under the laws of the United States, or of any
13 State or Territory thereof, and authorized to do business
14 in the State or Territory in which the land is located;
15 (d) a State, Territory, municipality, or other governmental
16 subdivision.

17 “SEC. 4. Any employee of the Department of the In-
18 terior, stationed in Alaska, notwithstanding such employ-
19 ment, may, in the discretion of the Secretary, purchase or
20 lease under this Act one tract for residence or recreation
21 purposes in the Territory of Alaska.

22 “SEC. 5. The authority to lease lands under this Act

1 shall extend to the revested Oregon and California Railroad
2 and reconveyed Coos Bay Wagon Road grant lands situated
3 in the State of Oregon and under the jurisdiction of the
4 Department of the Interior.”

Passed the House of Representatives May 19, 1953.

Attest:

LYLE O. SNADER,

Clerk.

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

MAY 20 (legislative day, MAY 15), 1953

Read twice and referred to the Committee on Interior
and Insular Affairs

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 14, 1954
For actions of May 13, 1954
83rd-2nd, No. 88

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HIGHLIGHTS: Senate passed emergency farm loans bill. Senate passed Treasury-Post Office appropriation bill. Senate recommitted bill to expedite ICC rate decisions. Senate made surplus-fish bill its unfinished business. House subcommittee voted to report bill to increase excess-tobacco penalty.

SENATE

1. FARM LOANS. Passed with amendments S. 3245, to authorize the Secretary of Agriculture to use \$15,000,000 of the Disaster Loan Revolving Fund for emergency loans to farmers and stockmen until Dec. 31, 1954. Agreed to an amendment by Sen. Welker to revise Sec. 2 so as to make loans available to individuals or partnerships actively engaged in farm or ranch operations, limit individual loans to \$15,000, limit the total debt of a borrower under this act to \$20,000, authorize the Secretary to determine interest rates and other terms and conditions, and require that loans be secured by personal obligation and available security. (pp. 6185-6.)
2. TREASURY-POST OFFICE APPROPRIATION BILL, 1955. Passed with amendments this bill, H. R. 7893. Senate conferees were appointed. (pp. 6163-70, 6174-85.)
3. TRANSPORTATION. Recommitted, 39 to 37, S. 1461, to expedite ICC action upon applications of certain common carriers for rate increases (pp. 6152-63).
4. PUBLIC LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 6186, granting preference rights to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal (S. Rept. 1329), and with amendments H. R. 2512, to extend the 'privilege' of buying certain public lands to business associations, corporations, States, or other governmental subdivisions for home and other sites (S. Rept. 1330)(p. 6148).
5. CIVIL DEFENSE. The Armed Services Committee reported without amendment H. R. 7308, to repeal Sec. 307 of the Federal Civil Defense Act of 1950, which provides for termination of title III (emergency authority) on June 30, 1954 (S. Rept. 1334)(p. 6148).

6. FISHERY PRODUCTS. S. 2802, to earmark Sec. 32 funds for education, publicity, and research in connection with fishery products, was made the unfinished business (p. 6187).
7. GRAIN. Sen. Carlson inserted various resolutions of the Kansas Grain and Feed Dealers Association (p. 6147).
3. VIRGIN ISLANDS. S. 3378, as reported Apr. 29, would revise the Organic Act of the Virgin Islands (S. Rept. 1271). Sec. 30 of the bill amends the Animal Quarantine Act so that cattle which have been infested with or exposed to ticks, but which are now free from them, may be admitted into the Virgin Islands, under such regulations as the Secretary of Agriculture may prescribe. Sec. 31 amends the statute pertaining to poultry quarantine so as to provide that the Secretary of Agriculture cannot issue regulations or take measures with respect to the introduction of live poultry into the Virgin Islands.

HOUSE

9. TOBACCO MARKETING. A subcommittee of the Agriculture Committee voted to report to the full Committee H. R. 8135, to increase the penalty on tobacco marketed in excess of marketing quotas to 50% (now 40%) of the previous year's average price (p. D525).
10. EDUCATION. Passed, 179 to 157, with amendments H. R. 7134, to establish a National Advisory Committee on Education (pp. 6190-201).
11. TRANSPORTATION. House conferees were appointed on H. R. 2236, to provide for a commission to regulate public transportation in the D. C. area (p. 6202). Senate conferees have not been appointed.
12. ADJOURNED until Mon., May 17 (p. 6210). Legislative program for next week, as announced by Majority Leader Halleck: Mon., Consent Calendar; Tues., Private Calendar; and balance of week, various bills (not agricultural)(p. 6201).

BILLS INTRODUCED

13. EDUCATION. S. 3450, by Sen. Clements (for Sen. Burke), to extend for 2 additional years the program of assistance for school construction in Federally affected areas; to Labor and Public Welfare Committee (p. 6148).
14. PERSONNEL. H. R. 9133, by Rep. Becker, "to amend the Classification Act"; to Post Office and Civil Service Committee (p. 6210). Remarks of author (p. A3559).
by Rep. Phillips,
15. SURPLUS COMMODITIES. H. R. 9141, to encourage the disposal of surpluses in foreign countries; to Agriculture Committee (p. 6211).

COMMITTEE HEARINGS RELEASED BY GPO

16. HOUSING. S. 2889, S. 2938, and S. 2949, proposed Housing Act of 1954 and amendment for smoke elimination and air pollution prevention. Part 2. S. Banking and Currency Committee.
17. EDUCATION. S. 2723, S. 2724, S. 2856, President's recommendations relating to education. S. Labor and Public Welfare Committee.

AMENDING THE ACT ENTITLED "AN ACT TO PROVIDE FOR THE
PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES,"
APPROVED JUNE 1, 1938 (52 STAT. 609), AS AMENDED

MAY 13, 1954.—Ordered to be printed

Mr. BUTLER of Nebraska, from the Committee on Interior and
Insular Affairs, submitted the following

R E P O R T

[To accompany H. R. 2512]

The Senate Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended, having considered the same, report favorably thereon with amendments, and with the recommendation that the bill as amended do pass.

The amendments approved by the committee are as follows:

On page 3, line 21, strike out the period and in lieu thereof insert a colon and the following:

Provided, however, That any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within twenty-five years after issuance of patent for such tract, for other than residential or recreation purposes.

On page 4, line 4, insert before the period a comma and the following:

except that—

(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the Act entitled "An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon", approved August 28, 1937 (50 Stat. 874).

PURPOSE OF THE BILL

H. R. 2512 would make certain amendments to the Small Tract Act of June 1, 1938, extending its application and facilitating its administration.

No expenditure of Federal funds is required.

The bill extends the leasing provisions of the Small Tract Act to unsurveyed lands by authorizing the Secretary of the Interior to lease them for purposes within the scope of the act. It would also amend the Small Tract Act to add community site purposes to those for which sites may be leased or sold. The term "community site purposes" would include municipal uses as well as such common public uses as general meetings and educational, civic, and religious activities. Sales would be limited, however, to surveyed lands.

The description of classifications for qualified purchasers or lessees is simplified in this proposed legislation. The present requirement that any purchaser or lessee must be 21 years of age would be removed.

The bill also extends the Small Tract Act, for leasing only, to the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon that are under the jurisdiction of the Department of the Interior.

PURPOSE OF THE AMENDMENTS

Your committee felt it advisable to make sure that this act does not open the door to any possible abuses by Federal employees in Alaska of their right to secure lands under this act. In Alaska it is essential to permit Government employees to secure title to small tracts of land from the Government, since there is very little land other than Federal land available for purchase. In fact such employees in Alaska already have that right under existing law. However, your committee felt this right should be clearly restricted to the purchase of lands for residential or recreational purposes. To that end an amendment is proposed, providing that use for any other purpose by a Federal employee shall cause the tract to revert to the United States.

Your committee also felt it necessary to guard against any possible misuse of the authority granted herein to lease the revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon. For that reason the authority to lease such lands is hedged in with two limitations: That such leases shall not be for business purposes, and that such leases shall not be permitted to interfere with the application of sustained yield timber management.

REPORTS OF THE DEPARTMENTS

The favorable reports of the Bureau of the Budget and the Department of the Interior are hereinbelow set forth in full and made a part of this report.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., July 20, 1953.

HON. HUGH BUTLER,
Chairman, Committee on Interior and Insular Affairs,
United States Senate, Senate Office Building,
Washington 25, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Office with respect to H. R. 2512, to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended, which was passed by the House of Representatives on May 19, 1953.

The major changes which would be made in the Small Tract Act by H. R. 2512 are: (1) extend the leasing provision of the act to unsurveyed lands; however, sales would be limited to surveyed tracts; (2) add community site purposes to those other purposes such as recreation, residence, and business purposes for which these small tracts may be leased or sold; (3) authorize the lease or sale of small tracts to associations, corporations, States, municipalities, and other Government subdivisions as well as to individuals; (4) extend the authority to lease small tracts to the revested Oregon & California and reconveyed Coos Bay Wagon Road grant lands in Oregon; and (5) prohibit the lease or sale if such action would unreasonably interfere with the use of water for grazing purposes, or unduly impair the protection of watershed areas.

This Office would have no objection to the enactment of this measure.

Sincerely yours,

ROWLAND HUGHES,
Assistant Director.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington 25, D. C., July 29, 1953.

HON. HUGH BUTLER,
Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington 25, D. C.

MY DEAR SENATOR BUTLER: This is in reply to the request of your committee for a report on H. R. 2512, a bill to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended, which passed the House of Representatives on May 19, 1953.

I recommend that this bill be enacted.

The 1938 act, as amended, known as the Small Tract Act, provides for the lease or sale of surveyed public lands in tracts of 5 acres or less for home, cabin, camp, health, convalescent, recreational, or business sites by natural persons who are heads of families or are over 21 years of age, and are citizens of the United States or have filed declarations of intention to become citizens. It does not permit such lease or sale to associations or corporations.

H. R. 2512 would extend the leasing provisions of the Small Tract Act to unsurveyed lands by authorizing the Secretary of the Interior to lease them for purposes within the scope of the act. If H. R. 2512 is enacted, it is contemplated that the Secretary would, by regulation, require that applicants on unsurveyed lands file adequate descriptions of the land in the local land office and that lessees for such lands stake out their premises clearly with adequate markers and monuments. The sale of only surveyed lands, however, would be authorized under the bill. Upon the extension of the surveys to the leased unsurveyed areas, minor adjustments could be made when necessary, and the lessee if otherwise qualified would be able to acquire title to the land by purchase.

H. R. 2512 would also amend the Small Tract Act to add community site purposes to those for which sites may be leased or sold. The term "community site purposes" would include municipal uses as well as such common public uses as general meetings and educational, civic, and religious activities. The number of classes of use for which the tracts may be leased or sold is reduced from the present unwieldy 7 to 4 primary categories, residence, recreation, business, and community sites. This classification is broad enough to encompass within their scope the other uses enumerated in the existing act. The amendment would simplify the administration of the act and would provide greater flexibility in classification for lease or sale purposes.

The proposed amendment would insert in the statute a new clause which allows the issuance of a lease or sale only if the Secretary finds that such lease or sale would not unreasonably interfere with the use of water for grazing purposes or would not unduly impair the protection of the watershed areas.

Because of the existing limitations of the act, many civic and philanthropic associations and nonprofit corporations, as well as governmental units and corporations organized for profit, have been unable in the past to acquire tracts for purposes within the scope of the act, even though the use of the lands by such organizations would clearly further the public welfare and interest. The act would be amended, therefore, to extend its benefits to associations, corporations, both profit and nonprofit, States, Territories, municipalities, or other governmental subdivisions by making them eligible to lease or purchase for an appropriate purpose. A further liberalization of the act would eliminate the present statutory

requirement that an individual lessee or purchaser be the head of a family or over 21 years of age.

The present provision of the law which permits employees of the Department of the Interior stationed in Alaska to purchase or lease one tract in the Territory, except for business purposes, would be amended to provide that such lease or purchase could be made for residence or recreational purposes. This was the objective of the present proviso but, because of the complexity of the existing classification, the present language was used in the act. With the classifications simplified as proposed herein the restriction of such purchase or lease to residence or recreational purposes would be proper.

The Small Tract Act is not presently applicable to the revested, Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon the administration of which under the act of August 28, 1937 (50 Stat. 874), has been placed under the Secretary of the Interior. The proposed amendment would extend to these lands the benefits of the Small Tract Act but only so far as leasing is concerned. The sale of small tracts in these reconveyed lands is undesirable because it would interfere with the maintenance of the timber culture and recreational facilities.

The phrase in the first section of the bill "or public lands withdrawn or reserved by the Secretary of the Interior for any purpose" is derived from the first paragraph of the Small Tract Act. It is not intended that the phrase shall include withdrawals made pursuant to the general delegation of authority to the Secretary made by the President's Executive Order No. 10355 of May 26, 1952 (17 F. R. 105).

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

ORME LEWIS,
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (H. R. 2512), as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT TO PROVIDE FOR THE PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES. APPROVED JUNE 1, 1938 (52 STAT. 609), AS AMENDED BY THE ACT APPROVED JULY 14, 1945 (59 STAT. 467; 43 U. S. C., SEC. 682a)

That the Secretary of the Interior, in his discretion, is authorized to sell or lease to any person [who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who has filed his declaration of intention to become such a citizen, as required by the naturalization laws] *or organization described in section 3 of this Act* a tract of not exceeding five acres of any vacant, unreserved [surveyed] public [land,] *lands* [or surveyed public land withdrawn or reserved by the Secretary of the Interior for any other purposes, or surveyed], *public lands* withdrawn by Executive Orders Numbered 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, *or public lands withdrawn or reserved by the Secretary of the Interior for any purposes,* which the Secretary may classify as chiefly valuable [as a home, cabin, camp, health, convalescent, recreational, or business site] *for residence, recreation, business, or community site purposes, if he finds that such sole or lease of the lands would not unreasonably interfere with the use of water for grazing purposes nor unduly impair the protection of watershed areas, in reasonably compact form and under such rules and regulations as he may prescribe, at a price to be determined by him, for such use: Provided, That no* [tract shall] *land may be sold* [for less than the cost of making any survey necessary to properly describe the land sold; that no] *hereunder unless it has been surveyed. No person or organization shall be permitted to purchase or lease more than one tract under the provisions of this Act, except upon a showing of good faith and reasons satisfactory to the Secretary. [, and that patents]*

SEC. 2. No tract shall be sold for less than the cost of making any survey necessary to describe properly the land sold. Patents for all tracts purchased under the

provisions of this Act shall contain a reservation to the United States of the oil, gas, and *all* other mineral deposits, together with the right to prospect for, mine, and remove the same under *applicable law and* such regulations as the Secretary may prescribe. **【Provided further, That any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may in the discretion of the Secretary, purchase or lease one such tract in the Territory of Alaska, except business sites, under this Act.】**

SEC. 3. A lease may be issued or a sale made under this Act to any of the following: (a) An individual who is a citizen of the United States, or who has filed his declaration of intention to become a citizen as required by the naturalization laws; (b) a partnership or an association, each of the members of which is a citizen of the United States or has filed a declaration of intention to become a citizen; (c) a corporation, including non-profit corporations, organized under the laws of the United States, or of any State or Territory thereof, and authorized to do business in the State or Territory in which the land is located; (d) a State, Territory, municipality, or other governmental subdivision.

SEC. 4. Any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease under this Act one tract for residence or recreation purposes in the Territory of Alaska【.】; provided, however, that any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within twenty-five years after issuance of patent for such tract, for other than residential or recreation purposes.

SEC. 5. The authority to lease lands under this Act shall extend to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon and under the jurisdiction of the Department of the Interior【.】, except that—

(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the Act entitled "An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon", approved August 28, 1937 (50 Stat. 874).



Calendar No. 1333

83^D CONGRESS
2^D SESSION

H. R. 2512

[Report No. 1330]

IN THE SENATE OF THE UNITED STATES

MAY 20 (legislative day, MAY 15), 1953

Read twice and referred to the Committee on Interior and Insular Affairs

MAY 13, 1954

Reported by Mr. BUTLER of Nebraska, with amendments

[Insert the part printed in italic]

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to provide for the purchase
4 of public lands for home and other sites", approved June 1,
5 1938 (52 Stat. 609), as amended by the Act approved
6 July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is
7 amended to read as follows:

8 "That the Secretary of the Interior, in his discretion, is
9 authorized to sell or lease to any person or organization
10 described in section 3 of this Act a tract of not exceeding

1 five acres of any vacant, unreserved public lands, public
2 lands withdrawn by Executive Orders Numbered 6910 of
3 November 26, 1934, and 6964 of February 5, 1935, for
4 classification, or public lands withdrawn or reserved by
5 the Secretary of the Interior for any purposes, which the
6 Secretary may classify as chiefly valuable for residence, recre-
7 ation, business, or community site purposes, if he finds that
8 such sale or lease of the lands would not unreasonably inter-
9 fere with the use of water for grazing purposes nor unduly
10 impair the protection of watershed areas, in reasonably com-
11 pact form and under such rules and regulations as he may
12 prescribe, at a price to be determined by him, for such use:
13 *Provided*, That no land may be sold hereunder unless it has
14 been surveyed. No person or organization shall be per-
15 mitted to purchase or lease more than one tract under the
16 provisions of this Act, except upon a showing of good faith
17 and reasons satisfactory to the Secretary.

18 "SEC. 2. No tract shall be sold for less than the cost
19 of making any survey necessary to describe properly the
20 land sold. Patents for all tracts purchased under the pro-
21 visions of this Act shall contain a reservation to the United
22 States of the oil, gas, and all other mineral deposits, together
23 with the right to prospect for, mine, and remove the same
24 under applicable law and such regulations as the Secretary
25 may prescribe.

1 “SEC. 3. A lease may be issued or a sale made under
2 this Act to any of the following: (a) An individual who
3 is a citizen of the United States, or who has filed his declara-
4 tion of intention to become a citizen as required by the
5 naturalization laws; (b) a partnership or an association,
6 each of the members of which is a citizen of the United
7 States or has filed a declaration of intention to become a
8 citizen; (c) a corporation, including nonprofit corporations,
9 organized under the laws of the United States, or of any
10 State or Territory thereof, and authorized to do business
11 in the State or Territory in which the land is located;
12 (d) a State, Territory, municipality, or other governmental
13 subdivision.

14 “SEC. 4. Any employee of the Department of the In-
15 terior, stationed in Alaska, notwithstanding such employ-
16 ment, may, in the discretion of the Secretary, purchase or
17 lease under this Act one tract for residence or recreation
18 purposes in the Territory of Alaska: *Provided, however, That*
19 *any conveyance by the Secretary to such employee shall con-*
20 *tain a provision under which said tract shall revert to the*
21 *United States if used, within twenty-five years after issuance*
22 *of patent for such tract, for other than residential or*
23 *recreation purposes.*

24 “SEC. 5. The authority to lease lands under this Act
25 shall extend to the revested Oregon and California Railroad

1 and reconveyed Coos Bay Wagon Road grant lands situated
2 in the State of Oregon and under the jurisdiction of the
3 Department of the Interior, *except that*—

4 “(a) such lands shall be leased only for residential,
5 recreational, or community site purposes and not for busi-
6 ness purposes; and

7 “(b) no lease of such lands shall be made if such
8 lease would interfere with the application of the sustained
9 yield timber management requirement established with
10 respect to such lands by the Act entitled ‘An Act relating
11 to the reconstituted Oregon and California Railroad and
12 reconveyed Coos Bay Wagon Road grant lands situated
13 in the State of Oregon’, approved August 28, 1937
14 (50 Stat. 874).”

Passed the House of Representatives May 19, 1953.

Attest:

LYLE O. SNADER,

Clerk.

83rd CONGRESS
2^d Session

H. R. 2512

[Report No. 1330]

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

MAY 20 (legislative day, MAY 15), 1953

Read twice and referred to the Committee on Interior
and Insular Affairs

MAY 13, 1954

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE-
(For Department Staff Only)

Issued May 25, 1954
For actions of May 24, 1954
83rd-2nd, No. 95

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HIGHLIGHTS: Senate passed water-facilities loans bill. Senate passed bill approving Southeastern Forest-Fire Protection Compact. House subcommittee voted to report surplus-fish bill. Sen. Carlson introduced and discussed bill to provide life insurance for Government employees. Sen. Johnston introduced and discussed bill to require Federal agencies to obey State laws on butter-fat content.

SENATE

1. WATER-FACILITIES LOANS. Passed as reported S. 3137, to amend the Water Facilities Act (pp. 6616-19). Sen. Aiken explained the bill as follows:

"The Water Facilities Act now is applicable only to the arid and semiarid areas of the United States. The pending bill would make that act applicable to the entire United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

"At present Government financial assistance is limited to \$100,000 for any one project. The bill would replace that limitation with a limitation upon the amount of indebtedness which any one debtor may have outstanding at any one time. In the case of an individual, the limitation would be \$25,000; in the case of a corporation or agency, it would be \$250,000...

"...the committee amendment provides for insurance of private loans. At present, the Secretary of Agriculture makes only direct loans, using the funds appropriated for that purpose. Under the amendment, not to exceed \$25 million of loans could be insured in any one year. In insuring the loans, the Secretary would utilize the fund created by title I of the Bankhead-Jones Farm Tenant Act."

2. FORESTRY. Passed without amendment S. 2786, approving the Southeastern Interstate Forest-Fire Protection Compact (pp. 6619-20).

3. PUBLIC LANDS. Passed as reported H. R. 2512, to amend the Small Tracts Act so as to permit greater use of the public domain by individuals (pp. 6626-7).

4. HOLIDAY. Passed without amendment H. R. 7786, to change the name of Armistice Day to "Veterans' Day" (p. 6616). This bill will now be sent to the President.

5. EGG MARKETING. Passed as reported S. 2661, to regulate the sale of shell eggs in D. C. (p. 6625).

6. HOUSING. The Banking and Currency Committee announced that it will order reported H. R. 7839, the housing bill, on May 27, and will file a report on June 3 (p. D574). This bill includes a provision continuing the rural-housing loan program.
7. FLOOD-CONTROL APPROPRIATIONS. H. R. 8367, the Army civil functions appropriation bill, was made the unfinished business (p. 6633).
8. SOIL CONSERVATION. In reporting H. R. 6788 (the Hope-Aiken watershed bill) to the full Agriculture and Forestry Committee, the subcommittee recommended a number of amendments. File copies of a "committee print", showing these amendments, are available for lending purposes from the Legislative Reporting Staff, Ext. 4654.

HOUSE

9. FISHERY PRODUCTS. A subcommittee voted to report to the full Merchant Marine and Fisheries Committee S. 2802, to earmark part of Sec. 32 funds for publicity, education, and research on fish and related products (p. D576).

BILLS INTRODUCED

10. LIVESTOCK INSPECTION. S. 3504, by Sen. Bowring, to amend the Packers and Stockyards Act with respect to the charging of brand inspection fees; to Agriculture and Forestry Committee (p. 6605).
11. RECLAMATION. S. 3505, by Sen. Anderson, to amend the act of 1950 relating to construction of the Vermejo reclamation project; to Interior and Insular Affairs Committee (p. 6605).
12. PERSONNEL. S. 3507, by Sen. Carlson, to authorize the Civil Service Commission to make available group life insurance for Federal employees; to Post Office and Civil Service Committee (p. 6605). Remarks of author (p. 6605).
13. DAIRY INDUSTRY. S. 3508, by Sen. Johnston, to require milk utilized by Federal agencies to meet State requirements with respect to butterfat content; to Agriculture and Forestry Committee (p. 6605). Remarks of author (p. 6634).
14. FISHERY PRODUCTS. H. R. 9249, by Rep. Norblad, "to further encourage the distribution of fishery products"; to Merchant Marine and Fisheries Committee (p. 6648).

ITEMS IN APPENDIX

15. FARM LABOR. Extension of remarks of Rep. Gubser discussing the use of Mexican farm laborers, stating that local labor will be given first chance at any job they are willing and able to perform, and including a newspaper article stating the need for 500 strawberry pickers in Calif. (p. A3774).
16. RECLAMATION. Extension of remarks of Rep. Miller, Nebr., favoring H. R. 4449, authorizing the upper Colo. project (pp. A3775-6).
Extension of remarks of Rep. Engle favoring the Trinity River project, Calif., and including a newspaper article on the shortage of water in the San Joaquin Valley (p. A3788).
17. FLOOD CONTROL. Rep. Angell inserted a newspaper article discussing the Army flood-control plan for the Columbia River (pp. A3776-7).

issue of the offender's identity with the person previously convicted. If the offender is found by the jury to be the person previously convicted, or if he acknowledges that he is such person, he shall be sentenced as prescribed in subsection (b) of this section."

REGULATION OF SALE OF SHELL EGGS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2661) to regulate the sale of shell eggs in the District of Columbia, which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 2, after the word "eggs", to strike out "similar to, but not necessarily identical with, the United States Standards for Quality of Individual Shell Eggs and the United States Specifications and Weight Classes for Consumer Grades for" and insert "which shall conform to the United States Standards, Grades, and Weight Classes for"; on page 4, at the beginning of line 8, to strike out "for the first offense, by a fine not to exceed \$25 or imprisonment for not to exceed 10 days, and for the second or subsequent offenses, by a fine not to exceed \$300 or imprisonment for not to exceed 90 days" and insert "for the first offense, by a fine not to exceed \$25, and for the second or subsequent offenses, by a fine not to exceed \$300"; after line 17, to insert:

SEC. 6. No person subject to this act selling shell eggs to a retailer shall be liable to prosecution under section 4 if such person establishes a contract entered into in good faith under which the retailer agrees to grade the eggs purchased into consumer grades established under this act before sale thereof to consumers.

And in line 24, to change the section number from "6" to "7", so as to make the bill read:

Be it enacted, etc., That (a) it shall be unlawful for any person in the District of Columbia to sell or offer to sell to any retailer or consumer any shell eggs unless such eggs are so marked or labeled or the package or container in which or from which such eggs are sold or offered for sale is so marked or labeled as to indicate that such eggs are at least equal to the applicable grade and size standards for shell eggs authorized to be established by this act: *Provided*, That this subsection shall not be applicable to any produced: *Provided further*, That this subsection shall not be construed to prohibit the sale of shell eggs which are not marked or labeled, or shell eggs in containers or packages not marked or labeled, in accordance with the grade and size standard authorized to be established by this act, if such eggs, containers, or packages are distinctly marked or labeled as "storage", "ungraded", or "unclassified."

(b) It shall be unlawful for any person in the District of Columbia to sell shell eggs if the container or package in which such eggs are sold, or any advertising relating to such eggs, includes any false or misleading statement, inscription, or device in respect to such eggs.

(c) For the purposes of this act, "producer" means any person selling shell eggs laid by hens owned by him; "retailer" means any person who sells shell eggs to a consumer; and "consumer" means any person purchasing shell eggs in any quantity for the purpose of using or preparing such eggs for human consumption in cooked or uncooked form or as an ingredient in some

cooked or uncooked product designed to be consumed by humans.

SEC. 2. The Commissioners of the District of Columbia are authorized to make, adopt, and enforce regulations to carry out the purposes of this act, including the establishment of grade and size standards, with reasonable tolerances, for shell eggs sold or offered for sale in the District of Columbia, such regulations, among other things, to establish grade and size standards for shell eggs which shall conform to the United States standards, grades, and weight classes for shell eggs, as the same may from time to time be established by the Secretary of Agriculture of the United States. Such regulations may, in the discretion of the Commissioners, require the furnishing of invoices to persons purchasing eggs for sale at retail, in such form as the Commissioners may prescribe, and the Commissioners may also, in their discretion, require the maintenance and keeping of such other records as they deem necessary in the enforcement of this act and the regulations promulgated under the authority hereof.

SEC. 3. The Commissioners or their designated agent or agents, in connection with the administration or enforcement of this act and the regulations promulgated under the authority of this act, are authorized to enter, on any business day, during the usual hours of business, any store, market, or any other building or place where eggs are sold or offered for sale and to make such examination as may be necessary to determine the grade and size of any eggs sold or offered for sale.

SEC. 4. Any person violating any provision of this act or any provision of the regulations promulgated under the authority of this act, or failing or refusing to comply with any of the requirements of this act or of the said regulations, or willfully interfering with any officer or employee of the District of Columbia engaged in the administration or enforcement of this act or the said regulations, shall be punished, for the first offense, by a fine not to exceed \$25, and for the second or subsequent offenses, by a fine not to exceed \$300.

SEC. 5. This act shall in no respect be considered as a repeal of any of the provisions of the Federal Food, Drug, and Cosmetic Act, but shall be construed as supplemental thereto.

SEC. 6. No person subject to this act selling shell eggs to a retailer shall be liable to prosecution under section 4 if such person establishes a contract entered into in good faith under which the retailer agrees to grade the eggs purchased into consumer grades established under this act before sale thereof to consumers.

SEC. 7. This act shall become effective 60 days after its enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTABLISHMENT OF FAMILY COURT FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2701) to establish the family court for the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That (a) there is hereby established in and for the District of Columbia a court to be known as the "Family Court for the District of Columbia", hereinafter referred to as the "Family Court" or the "court".

(b) The Family Court shall adopt and have a seal and shall be a court of record.

SEC. 2. The Family Court shall consist of 3 judges appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be designated by the President as chief judge. Appointments and reappointments of judges for the Family Court shall be for a term of 10 years each. All such judges shall continue in office until their successors shall be appointed and qualified. The salaries of the chief judge and the associate judges shall be equal to the salaries of the chief judge and of the associate judges of the United States District Court for the District of Columbia, respectively. Each judge, when appointed, shall take the oath prescribed for judges of courts of the United States.

SEC. 3. (a) Any judge of the Family Court may retire after having served as a judge of such court for a period or periods aggregating 20 years or more, whether continuously or not. Any judge who so retires shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such judge at the date of such retirement as the total of his aggregate years of service bears to the period of 30 years, the same to be paid in the same manner as the salary of such judge. In no event shall the sum received by any such judge hereunder be in excess of the salary of such judge at the date of such retirement. As used in this section, the terms "retire" and "retirement" mean and include retirement, resignation, or failure of reappointment upon the expiration of the term of office of an incumbent.

(b) Any judge receiving retirement salary under the provisions of this act may be called upon by the chief judge of the Family Court to perform such judicial duties as may be requested of him but no such retired judge shall be required to render such service for more than 90 days in any calendar year after such retirement. In case of illness or disability precluding the rendering of such service such retired judge shall be fully relieved of any such duty during such illness or disability.

SEC. 4. (a) The chief judge of the Family Court shall, from time to time and for such periods as he may determine, designate the judges to preside and attend at the sessions of the court. He shall have the power to arrange the business of the court, and to divide it and assign it among the judges. He shall also be charged with the general administration and superintendence of the business of the court. The duties of the chief judge as set forth in this section shall be in addition to his judicial work.

(b) In the event of the absence, disability, or disqualification of the chief judge, his powers shall be exercised by the available judge next in seniority according to the date of commission.

SEC. 5. (a) The court shall have authority to appoint and remove a clerk and such other personnel as may be necessary for the operation of the court.

(b) The court shall also have authority to appoint a commissioner or commissioners to assist it. In accordance with rules adopted by the court, such commissioner or commissioners may investigate facts, take testimony of witnesses, administer oaths, and file for the court's consideration a report including findings of fact, conclusions of law, and recommendations: *Provided*, That the right to examine said report and to file exceptions to any finding of fact, or law, or recommendations, shall be reserved to each interested party or his attorney. Said exceptions shall be heard in open court and determined as in cases of exceptions to special masters' reports.

SEC. 6. Each judge of the Family Court, the clerk, the deputy clerks, and such other court officers as may be designated by the

court, shall have power to administer oaths and affirmations.

SEC. 7. (a) Section 963 of the act approved March 3, 1901 (31 Stat. 1345, ch. 854), as amended by section 16-416, D. C. Code, 1951 edition, is amended by striking therefrom "United States District Court for the District of Columbia", and inserting in lieu thereof "Family Court for the District of Columbia."

(b) The first paragraph of the first section of the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937 (50 Stat. 806; sec. 16-201, D. C. Code, 1951 ed.), is amended by striking therefrom "District Court of the United States for the District of Columbia" and inserting in lieu thereof "Family Court for the District of Columbia."

(c) Section 6 of the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944 (58 Stat. 194; sec. 32-786, D. C. Code, 1951 ed.), is amended by striking "Office of the Clerk of the District Court of the United States for the District of Columbia" and inserting in lieu thereof "Office of the Clerk of the Family Court for the District of Columbia."

(d) The Family Court shall have exclusive jurisdiction over all actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for temporary and permanent alimony, and for support and custody of minor children; applications for revocation of divorce from bed and board; civil actions to enforce support of minor children; civil actions to enforce support of wife; actions seeking custody of minor children; actions to declare marriage contracts void; actions for annulment of marriage and proceedings in adoption.

(e) The court is hereby vested with so much of the power as is now vested in the United States District Court for the District of Columbia, whether in law or in equity, as is necessary to effectuate the purposes of this act, including, but not limited to, the power to issue restraining orders, injunctions, writs of habeas corpus, and ne exeat, and all other writs, orders, and decrees.

(f) The court shall have the same power to enforce and execute judgments, orders, and decrees entered by it as is now vested in the United States District Court for the District of Columbia. Judgments of the courts shall have the same legal status as liens upon real estate as judgments of the United States District Court for the District of Columbia.

(g) The court may by rules prescribe the fees, charges, and costs and the forms of process, writs, pleadings, and motions, and the practice and procedure in actions and proceedings in the court. Such rules shall neither abridge, enlarge, nor modify the substantive rights of any litigant. Except as otherwise specifically provided by such rules, the applicable Federal Rules of Civil Procedure shall govern in the court.

(h) The court shall have power to require by rule that, before an action is filed seeking a divorce, temporary maintenance or alimony, or the custody of a child or children, the party seeking relief shall file with the court a notice of intention to file such action and shall serve a copy of such notice upon the opposite party, in such manner as the court shall prescribe. Such notice shall direct such opposite party to appear before a judge, or a person designated by the court, at a time fixed in such notice, with a view toward effecting reconciliation or obtaining a voluntary agreement as to custody or temporary maintenance or alimony, and no pleading of an adversary nature may be filed until such time after the date fixed in such notice to appear before a judge or such person designated by the court, as may be set by the court, but not to exceed 60 days.

SEC. 8. The court shall have full power and authority to censure, suspend, or expel from practice, at its bar, any attorney for any crime involving moral turpitude, or professional misconduct, or any conduct prejudicial to the administration of justice. Before any such attorney is censured, suspended, or expelled, written charges under oath against him must be presented to the court, stating distinctly the grounds of complaint. The court may order the charges to be filed in the office of the clerk of the court and shall fix a time for hearing thereon. Thereupon a certified copy of the charges and order shall be served upon the attorney personally by the marshal or such other person as the court may designate, or in case it is established to the satisfaction of the court that personal service cannot be had, a certified copy of such charges and order shall be served upon him by mail, publication, or otherwise, as the court may direct. At any time after the filing of said written charges, the court shall have the power, pending the trial thereof, to suspend from practice at its bar the person charged.

SEC. 9. The court shall have the same power to punish for contempt in cases over which it has jurisdiction as is now vested in the United States District Court for the District of Columbia.

SEC. 10. Service of process for the court shall be made by the United States marshal for the District of Columbia or by any of his authorized assistants. Service of process for the court may also be had by publication under the same conditions and in the same manner as service of process is had by publication for the United States District Court for the District of Columbia.

SEC. 11. Any party aggrieved by any final or interlocutory order or judgment entered in the court shall have the same right of appeal available in respect to any final or interlocutory order or judgment entered in the United States District Court for the District of Columbia.

SEC. 12. The court, with at least one judge in attendance, shall be open for the transaction of business every day of the year except Saturday afternoons, Sundays, and legal holidays.

SEC. 13. (a) All cases which, on the effective date of this section, are pending in the United States District Court for the District of Columbia and are within the jurisdiction of the family court, together with all files, papers, documents, and records in the custody of the United States District Court for the District of Columbia relating to such pending cases shall be transferred to the family court.

(b) The United States District Court for the District of Columbia shall, on and after the effective date of this section and upon request of the family court, transfer to such court the files, papers, documents, and records relating to any case in which final judgment has been entered in respect to divorce from the bond of marriage; legal separation from bed and board; revocation of divorce from bed and board; civil actions to enforce support of minor children or wife; actions for custody of minor children; voiding of marriage contract; annulment of marriage; or adoption, whether or not any such case has been reopened prior to the effective date of this section.

(c) All judgments, orders, processes, directions, and proceedings entered in any pending or reopened case transferred to the court pursuant to this act shall be continued and proceeded with, and may be modified, enforced, and executed with the same force and effect as if proceeded with in the United States District Court for the District of Columbia; and no such action or proceeding shall abate or be in anywise affected by the enactment of this act.

SEC. 14. Any member of the court may try any case within its jurisdiction and the ac-

tion of each of said judges respecting the judicial business of the court shall be deemed and taken to be the act of the court.

SEC. 15. The jurisdiction of the Juvenile Court of the District of Columbia will not be curtailed, reduced, or limited in any way by the provisions of this act.

SEC. 16. This act, except sections 7 and 13, shall take effect upon its approval. Sections 7 and 13 of this act shall take effect 30 days after the appointment and qualification of the three judges authorized to be appointed to the court.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a family court in and for the District of Columbia."

Mr. GORE subsequently said: Mr. President, I enter a motion to reconsider the vote by which during the call of the calendar today Senate bill 2701, Calendar 1391, to establish the family court for the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SALTONSTALL. Mr. President, as acting majority leader, and out of courtesy to the Senator from Tennessee, let me say that I have no objection to the procedure the Senator from Tennessee proposes. I hope unanimous consent will be given for that purpose.

I understand that the Senator from Tennessee is entering the motion to reconsider, simply for the purpose of protecting a colleague, in connection with the call of the calendar. I have no other statement to make at this time.

The PRESIDING OFFICER. The motion to reconsider will be entered.

PURCHASE OF PUBLIC LANDS FOR HOMES, ETC.

The PRESIDING OFFICER. That completes the regular call of the calendar. The bill passed to the foot of the calendar is now in order.

The Senate proceeded to consider the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites" which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, line 18, after the word "Alaska", to insert a colon and "Provided, however, That any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within 25 years after issuance of patent for such tract, for other than residential or recreation purposes", and on page 4, line 3, after the word "Interior", to insert "except that—

"(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

"(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the act entitled 'An act relating to the re-vested Oregon and California Railroad

and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon', approved August 28, 1937 (50 Stat. 874)."

Mr. CORDON. Mr. President, the bill was considered by the Committee on Interior and Insular Affairs. It is in the nature of housekeeping legislation, and broadens the provisions of the existing Small Tracts Act of 1938, so as to make that act meet the present necessities with respect to a greater use by individuals of the public domain.

The bill gives a more complete definition of the class of persons who may take advantage of the provisions of the Small Tracts Act. The bill provides authority for the Secretary to lease small tracts of land to citizens of the United States for residential, recreational, community-site purposes, and so forth; that is, the bill, as amended, would broaden the present act so as to include recreational and community uses by groups, as distinguished from personal uses by individuals.

The bill has one provision which is especially important, namely that for the leasing of unsurveyed areas of the public domain. The provision has particular reference to Alaska, where a very, very small percentage of the total area—perhaps 1½ percent, or some such figure—is at present surveyed. The amendment makes provision for the leasing of such tracts upon the tracts' being properly monumented for location and patenting in cases where there has been a survey.

The bill also contains a provision which includes within the areas subject to the application of the Small Tracts Act 2½ million acres of timberland known as the revested railroad grant lands in my home State of Oregon. In that instance, however, there can be no passing of title. Neither can there be use of the lands for business purposes. Nor can any tract be used for any purpose which is in anywise detrimental to the use of the whole area for sustained yield timber management.

Mr. HENDRICKSON. Mr. President, I thank the Senator for a very complete explanation.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDING OFFICER. That completes the call of the calendar.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

LONG-TERM TIME CHARTER OF TANKERS BY SECRETARY OF THE NAVY

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, the so-called tanker bill.

The Senate resumed the consideration of the bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes.

Mr. HENDRICKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Without objection, it is so ordered.

The bill is before the Senate and open to amendment.

Mr. MAGNUSON. Mr. President, I have an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 1, line 10, it is proposed to insert the following new sentence:

In awarding contracts the Secretary of the Navy shall give preference to operators who are exclusively engaged in the operation of American-flag ships.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington.

Mr. MAGNUSON. Mr. President, when the pending bill was reached on the Consent Calendar last week I asked that it be passed over, and at that time I stated some of my views on the subject covered by the measure.

I do not believe there is a Member of the Senate who will not agree that I, as a member of the Committee on Interstate and Foreign Commerce, and particularly the subcommittee having to do with the merchant marine, have had a deep interest in the merchant marine over many years.

I have done much work and devoted a great deal of time to the development of the American merchant marine, because I have always believed that we should have learned something from the sad experience through which we passed between World War I and World War II,

when the American flag practically disappeared from the seas. When we got into trouble prior to World War II it cost us almost \$47 billion to build a fleet which could transport about 95 percent of our war materiel to the far-flung corners of the world, and be literally our forefront of defense. That in itself made me conscious of the fact that we should do more for the development of what we call an adequate merchant marine.

I know that the Merchant Marine Act of 1936 has been subject to some criticism because, under it, subsidies are paid. I am sure there has been a great misconception throughout the United States—not opposition, but misconception and misunderstanding—about the cost of merchant marine subsidies, which we hoped would keep our merchant marine adequate and the American flag on the seas.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. This matter was discussed before the Committee on Armed Services. The suggestion before the committee was stronger than the one the Senator from Washington now makes by means of his amendment.

I should like to call his attention to page 2 of the committee's report, where there is found the statement that the committee does not express an opinion as to the merits of a restriction to the effect that the Government should not enter into a contract with a firm operating ships registered under a foreign flag. I feel that that is the position of the committee, because the committee believed this subject to be one of general legislation, and believed that such a provision should not apply to tankers alone.

I note that the amendment of the Senator from Washington does not provide a flat prohibition, but simply goes to the question—all other things being equal—of having the Navy give preference to those who operate such vessels completely under the American flag. Am I correct as to that?

Mr. MAGNUSON. Yes.

Mr. SALTONSTALL. Then, assuming that two firms make bids approximately the same, and assuming that both firms are of equal strength, equal character, and equal ability to perform the contract, all the Senator from Washington is requesting, as I understand, is that under those circumstances the firm that operates exclusively under the American flag be given preference over a firm operating under a foreign flag. Do I correctly understand the effect of the Senator's amendment?

Mr. MAGNUSON. The Senator from Massachusetts has correctly stated my purpose in submitting the amendment.

Mr. SALTONSTALL. As I view the matter, that purpose is consistent with the position taken by the committee.

The Senator from Washington has stated he is interested in the merchant marine. The present chairman of the Armed Services Committee knows that very well, because both the Senator from Washington and I have argued on many

occasions on the same side of these questions.

Personally, I believe the Senator's proposal involves a broad general principle which cannot be properly covered by the pending bill which relates solely to the building of tankers, and the inclusion in the bill of a statement of that principle might result in handicapping the construction of the tankers.

However, I think there is no objection to providing for such a preference under the circumstances the Senator from Washington has mentioned.

If there were considerable difference between the two bids, then the position of the Armed Services Committee is that the contract should be awarded to the firm making the lower bid. I wish to make that point very clear. However, assuming that the two bids were very much the same, and assuming that the strength and reliability of the two firms were very much the same, I see no objection to the adoption of the Senator's amendment. In fact, I would be glad to have it included in the bill, and thus take the amendment to conference—if what I have stated regarding the effect of the amendment is in accord with the understanding of the Senator from Washington regarding it.

Mr. MAGNUSON. Yes, that is my understanding. Mr. President, I appreciate having the Senator from Massachusetts give favorable consideration to the amendment. Of course, both he and I have been interested in the consideration of merchant marine matters ever since we have been Members of the Senate.

I wish to state that I am opposed to the bill; but I hoped that if the bill were to be passed—and I suppose that in opposing the bill, I am in the hopeless minority—it would at least include a provision to establish some kind of direction to those who will participate in the program, so as to try to keep the ships under the American flag.

For many years I have been opposed to the so-called run-away fleet. Frankly, that situation poses a grave legal question as to the steps proper to be taken by us in that connection. If I had my way about the matter, I would not allow an American citizen who received from the Government a subsidy or who received protection under the American flag, to go to Panama or Honduras, for the purpose of evading United States taxes, and there hire foreign seamen and participate in the operation of the run-away fleet.

Likewise, Mr. President, it seems to me to be paradoxical that certain large United States companies that dodge United States taxes are the same ones that have large foreign holdings, and yet always desire to have the protection of the United States Government. At present, according to the latest figures I have received, the merchant fleet under Panamanian registry is the third largest fleet in the world, although none of those ships ever actually visit Panama, except to go through the Panama Canal, which is in United States territory. Similarly, Honduras is developing a fleet of the same sort. I can appreciate why that is done by such firms.

Some years ago, representatives of the Standard Oil Company of New Jersey appeared before our committee, in the room upstairs, and said they had control of a Panamanian company, and were operating vessels under the Panamanian flag, and they frankly admitted that they were accumulating reserves in Panama, to the tune of \$20 million that year, as I recall, and that those reserves would be taken over by the company at the time when conditions were the most propitious, so that the firm would pay the smallest amount of taxes in that connection. In the operation of those vessels, foreign crews were hired.

Let me state that at times when many American seamen were unemployed, sitting in hiring halls, and looking for jobs, I have known such a firm to charter an airplane to bring an entire crew from Naples, Italy; and the plane carrying the crew from Naples would fly over New York Harbor, almost over the hiring hall in which the unemployed American seamen were waiting for jobs, and would land that crew at Hoboken, on the New Jersey side of the harbor; and the crew would be put aboard a ship under the Panamanian flag, although the ship never visited Panama, and was operated by a United States company, under the protection of the United States, even though the company had foreign holdings and, in some instances, received benefits from our Government.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield further to me?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. I call the attention of the Senator from Washington to paragraph (c), on page 2, which was included for the specific purpose of preventing the situation to which the Senator from Washington has referred. The committee felt that these tankers will be so important to the United States that for 10 years after the agreement with the Government has expired, unless there is some special reason to the contrary, they shall not be sold for operation under any foreign flag.

Mr. MAGNUSON. Mr. President, I appreciate the fact that the Senator from Massachusetts feels, as I do, that we should not permit the creation of a runaway fleet. Of course, it is difficult to know how to control that situation. I do not know what we can say, legally, to a United States citizen who may spend money he made in America for the construction in Great Britain of a tanker to be put under the Panamanian flag, and with the purpose of operating the vessel out of New York, as an American shipper. However, we can make a start in establishing a United States merchant marine policy that at least will direct us down a road that will lead to stopping the creation of such a runaway fleet. Otherwise, we shall find ourselves in the same position we were in during the 1930's.

In fact, this bill is here because so many of our ships have been registered under the Panamanian flag, and even under the Liberian flag. Such countries practice many discriminations against us; but the operators of such vessels always wish to have the protection of

the United States Government, although they will not do business in the United States.

So I feel that we must reevaluate our merchant marine policy, so that, at least, the atmosphere for a United States citizen who wishes to engage in the maritime business will be such that he will be proud to have his vessels fly the American flag, rather than fly the flag of Panama, Honduras, or some other country.

Mr. SALTONSTALL. This so-called flag provision is included in the bill for the reasons the Senator from Washington has stated, is it not?

Mr. MAGNUSON. Yes.

Mr. President, I wish to speak for 5 minutes on the bill.

As I said at the beginning of my remarks, I yield to no one in my interest in having an adequate United States merchant marine developed. However, I fear that the pending bill might result in another giveaway. I can foresee a maritime condition in the United States or a worldwide maritime condition in which the United States Government would guarantee a private operator that for 10 years he would receive a profit on his investment in such a tanker, and at the end of that period the tanker would become his. I understand that the amount under the contemplated contracts would equal approximately two-thirds of the value of the tanker, at a ceiling of \$5 per deadweight ton, I believe. I do not know whether that is the correct figure; perhaps it should be higher. It could be that the \$5 figure is not sufficiently high.

At any rate, at the end of 10 years, the private operator, whoever he might be—whether A, or B, or C—would receive two-thirds of the price of the tanker; that amount would be paid to him, with a profit. Of course, I do not blame anyone for wishing to make a profit, because no person can long remain in business without receiving a profit. At the end of that time the tanker becomes his. I can conceive of circumstances—and I have seen such worldwide conditions—under which a tanker, after it has reached the age of 10 years, with a normal further expected life of 8 or 10 years, might be worth more to the operator than it was during the first 10 years, in which he was guaranteed a profit and two-thirds of the cost of building the ship. I hope, and I assume, that good contracts will be made. I should like to ask the Senator from Massachusetts a question.

First, what was the basis for arriving at the figure of \$5 a deadweight ton? Was that figure based upon statistics from the Maritime Administration or the Maritime Board?

Mr. SALTONSTALL. The question was taken up with Mr. Rothschild, the Maritime Administrator, and with Admiral Denebrink, head of the Military Sea Transportation Service of the Navy, as well as with the Secretary of the Navy, Mr. Anderson. Originally the Navy wanted a bill without any limitation on the topside. The committee felt that there should be some limitation on the topside, and after discussion with those I have mentioned, and after a calcula-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: Senate committee ordered reported USDA appropriation bill. House committee ordered reported bill authorizing GSA motor and furniture pools. Rep. Bailey claimed Tariff Commission is misinterpreting Trade Agreements Act escape clause. Senate committee ordered reported bill authorizing additional use of Government vehicles at isolated installations.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1955. The Appropriations Committee ordered reported (but did not actually report) this bill, H. R. 8779. As approved by the Committee, the bill would provide a total of \$722,791,971, an increase of \$2,689,317 over the House-passed figure of \$720,102,654. (p. D587.) The total amounts for each item were released and are summarized in the table at the end of this Digest.

Copies of the bill as reported, the committee report, and hearings will be distributed directly to the agency budget offices, as soon as received, pursuant to a distribution list that has been worked out with the Department agencies. The agencies will receive the material at the same time this office will receive it. The material will not be distributed from this office. In general, copies should be obtained through the agency budget offices rather than from this office.

2. LAND TRANSFER; MOTOR VEHICLES; SURPLUS PROPERTY. The Government Operations Committee ordered reported (but did not actually report) H. J. Res. 300, providing for the conveyance to the Texas Hill Country Development Foundation of surplus lands in Kerr County, Tex., for use of 4-H clubs, etc.; S. 3199, to authorize additional use of Government motor vehicles at isolated Government installations; and S. 3243, to extend until June 30, 1955, the period during which disposals of surplus property may be made by negotiation (p. D589).
3. MEDICAL FACILITIES; EDUCATION. A subcommittee of the Labor and Public Welfare Committee ordered reported to the full committee H. R. 8149, to provide assistance to the States for surveying the need for diagnostic or treatment centers,

for hospitals for the chronically ill and impaired, for rehabilitation facilities, etc., and to provide assistance in the construction of such facilities; and S. 2759, to promote and assist in the extension and improvement of vocational rehabilitation services. (p. D589).

HOUSE

4. PUBLIC LANDS. Concurred in the Senate amendments to H. R. 2512, to amend the Small Tracts Act so as to permit greater use of the public domain by individuals (p. 6734). This bill will now be sent to the President.
5. DISBURSEMENTS. House conferees were appointed on S. 2844, to extend for 1 year authority for certain banking transactions by U. S. disbursing officers (p. 6736). Senate conferees were appointed May 18.
6. MOTOR VEHICLES; FURNITURE. The Government Operations Committee ordered reported (but did not actually report) H. R. 8753, to amend the Federal Property and Administrative Services Act so as to authorize GSA to operate motor vehicle and furniture pools (p. D591).
7. FOREIGN TRADE. Rep. Bailey claimed that the Tariff Commission is violating "the spirit and letter" of the escape clause in the Trade Agreements Act (pp. 6775-88).
8. STOCKPILING. Rep. Philbin spoke on the need for conserving our critical national resources, accelerating our stockpiling program, stimulating the production of needed marginal facilities, promoting research in possible substitutes, etc., (pp. 6736-9).
9. ADJOURNED until Fri., May 28 (p. 6789). The call of the private calendar was postponed from Tues., June 1 to June 8 (p. 6771).

BILLS INTRODUCED

10. RECLAMATION. H.R. 9343, by Rep. Engle, to authorize the Sec. of the Interior to maintain the Sacramento River Channel in conjunction with operation and maintenance of the Central Valley project; to Interior and Insular Affairs Committee (p. 6789).
11. FORESTS. H.R. 9345, by Rep. Grant, granting the consent and approval of Congress to the southeastern interstate forest fire protection compact; to Agriculture Committee (p. 6789).
12. TARIFFS. H.R. 9347, by Rep. Jenkins, and H.R. 9349, by Rep. Molloy, to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles; to Ways and Means Committee (p. 6789).
13. MONOPOLIES. H.R. 9354, by Rep. Whitten, defining certain unfair trade practices; to Judiciary Committee (p. 6790).



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WASHINGTON, WEDNESDAY, MAY 26, 1954

No. 97

Senate

The Senate was not in session today. Its next meeting will be held on Thursday, May 27, 1954, at 12 o'clock meridian.

House of Representatives

WEDNESDAY, MAY 26, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, inspire us now with a clearer vision of Thyself, a greater loyalty to Thy divine precepts and principles, a deeper sympathy with struggling humanity, a loftier conception of our duties and responsibilities, and a surer mastery over our own life.

Grant that in the business of this day we may manifest toward one another the attitudes of sincerity, of forbearance, of trust and kindly judgment and may we never allow the black clouds of suspicion and selfishness, of discord and dissension to gather and obscure our essential oneness. May we give ourselves unreservedly to our lofty mission.

God forbid that we should fail to see how absolutely necessary it is for us, as citizens and leaders in the life of our Republic, to get together and hold together if our Nation is to survive and be strong enough to face and overcome the dangers of our time.

Help us to find and cultivate the spirit of fellowship in service. May we, as comrades in a common cause, understand more fully that our beloved country has tremendous resources, lying unused, which can only become effective for the welfare of mankind if we have the spirit of concord and cooperation.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amend-

ment bills of the House of the following titles:

H. R. 1026. An act to amend the Public Health Service Act, with respect to the provisions of certain medical and dental treatment and hospitalization for certain officers and employees of the former Lighthouse Service and for dependents and widows of officers and employees of such Service;

H. R. 7061. An act to prescribe and regulate the procedure for adoption in the District of Columbia; and

H. R. 7062. An act to amend the act of April 22, 1944, which regulates the placement of children in family homes in the District of Columbia.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3704. An act to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3387. An act to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8367. An act making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints

Mr. KNOWLAND, Mr. YOUNG, Mr. CORDON, Mr. THYE, Mr. MARTIN, Mr. HAYDEN, Mr. RUSSELL, and Mr. ELLENDER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 2828) entitled "An act to amend the act of Congress of September 3, 1935 (49 Stat. 1085), as amended" disagreed to by the House; agrees to a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUTLER of Nebraska, Mr. WATKINS, Mr. DWORSHAK, Mr. ANDERSON, and Mr. LENNON to be the conferees on the part of the Senate.

DAIRY PRODUCTS IN COMMERCE

Mr. LAIRD. Mr. Speaker, the RECORD of yesterday indicates that I introduced the bill H. R. 9267, dealing with the flow of dairy products in commerce. I would like the RECORD to show that the bill was introduced by request of the entire Wisconsin congressional delegation.

IS POSTMASTER SUMMERFIELD PLAYING POLITICS WITH POST OFFICE APPOINTMENTS?

(Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KELLEY of Pennsylvania. Mr. Speaker, it has come to my attention that a severely handicapped disabled war veteran, Charles Fencil, who has been the acting postmaster for some time at Mount Pleasant, Pa., and who stood No. 1 on the civil-service eligible register for the examination for permanent postmaster, is going to be denied the position of postmaster. This is according to a news item appearing in a Greensburg newspaper.

The reason given is that he is a Democrat and that the Republican leadership in Mount Pleasant and in the congressional district—Westmoreland County—will not approve him because he is not a Republican.

After reading the history of this case, I defy anyone to tell me why Mr. Fencil should be denied the position he warrants just because he is a Democrat. Does the leadership of the Republican Party in this area think that a man, who offers his life or limbs on the battlefield, and who is a hero, is not qualified for a position because he is not of the proper party allegiance?

I think this is another case, along with the Greenburg post office, in which the Republican leadership has used its influence to have qualified postmasters discharged on account of politics. Civil service is a joke.

UNITED STATES AND MASSACHUSETTS TEAMWORK TO SAVE BOSTON ARMY BASE

(Mr. LANE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. LANE. Mr. Speaker, the Boston Army Base is more important to national defense and to commercial shipping along the Atlantic coast than the St. Lawrence seaway.

It was a key facility as a port of embarkation and for shipment overseas of materials and supplies in World War I and in World War II. In peacetime it is leased to private operators thus assuring some income to the Federal Government.

Engineering experts have recently reported that the dock bases are in imminent danger of collapsing, and that necessary repairs to bulkheads and pilings will cost about \$10 million.

The Army itself advises that there is a mobilization requirement for these pier and pier-shed facilities at the Boston Army Base.

Here we have a problem concerning both public and private needs that must be resolved.

There are only 30 covered berths in the port of Boston where ships can berth to handle foreign and domestic dry cargoes. The Army base with eight of these berths represents 26.6 percent of the total.

This is evidence of the major role it plays in servicing seaborne transportation on our Atlantic coast.

In 1953 it handled 326 ships whose principal cargoes were wool, latex, hemp, sisal, rubber, and steel.

With the probability that New England may soon have its first steel mill, and with the development of our metal-working industries which will depend upon ores brought in from the nearby Labrador discoveries, our shipping facilities must be expanded, rather than cut back.

It is nearer to Europe than any other major United States port.

Its strategic importance is revealed by the fact that it will be among the first areas selected for defense by the installation of guided missile batteries.

As the heart of New England's economy, the port of Boston must be kept in first-class condition.

We cannot permit, therefore, these facilities with an estimated value of \$60 million, providing employment for thousands and essential for military and commercial purposes, to deteriorate and become useless.

August 1, 1954, is the deadline.

Before then, a compromise plan must be worked out, and funds authorized, to save the Boston Army Base from abandonment.

Through the years, the New England delegation in Congress has consistently supported the appropriation of billions of dollars to develop and stimulate the economies of other regions of the Nation by the use of public funds. We did not ask for priority. We expected, reasonably, that the Congress would finally pay some attention to our needs.

However, a dangerous and one-sided pattern of thinking has resulted whereby an appropriation for a billion-dollar waterpower project for the West is considered routine, while a few \$10 million projects for New England bring right-about-face demands for economy.

I submit that the true and genuine national interest now requires some balance when it comes to Federal appropriations.

New England, faced with the imperative need to effect an economic transition to solve the problem of surplus labor in its mill cities, is determined, better late than never, to secure its fair share of Federal assistance.

We believe that the objective facts prove our claims.

Respectfully, sincerely, and firmly, we ask our colleagues from other sections of the Nation for two-way cooperation to insure mutual security and mutual progress.

Rehabilitation and maintenance of the Boston Army Base is one of the major factors in a program for the redevelopment of New England.

On a basis of Federal-State teamwork, H. R. 9099, sponsored by an outstanding and veteran Member of Congress, JOHN W. McCORMACK, of Massachusetts, provides us with a practical solution.

Repairs by the Federal Government, and the Commonwealth, shared on a 90-10 percent ratio, and not to exceed \$11 million, plus a long-term lease to the Commonwealth of Massachusetts which shall assume the responsibility of maintaining the facilities, is a working arrangement that few can object to.

The Committee on Armed Services has agreed to add, as part of the military-naval public works bill, the provisions of H. R. 9099, to authorize the Secretary of the Army to lease portions of the Boston Army Base to the Commonwealth of Massachusetts.

New England requests your approval of the committee's recommendation to the Congress.

PURCHASE OF PUBLIC LANDS FOR HOME AND OTHER SITES

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to

take from the Speaker's table the bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938—Fifty-second United States Statutes at Large, page 609—as amended, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 21, after "Alaska" insert "": *Provided, however*, That any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within 25 years after issuance of patent for such tract, for other than residential or recreation purposes."

Page 4, line 4, after "Interior" insert " , except that—

"(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

"(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the act entitled 'An act relating to the reversioned Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon,' approved August 28, 1937 (50 Stat. 874)."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

INCORPORATION, REGULATION, MERGER, CONSOLIDATION, AND DISSOLUTION OF CERTAIN BUSINESS CORPORATIONS IN THE DISTRICT OF COLUMBIA

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3704) to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, strike out:

"Sec. 76. Rights of dissenting shareholders."

Pages 3 and 4, renumber Sec. 77 to 121, inclusive, 76 to 120, inclusive.

Page 4, strike out:

"Sec. 122. Fees, franchise and license taxes, and charges", and insert:

"Sec. 121. Fees and license taxes, and charges."

Pages 4 and 5, renumber Sec. 123 to 147, inclusive, 122 to 146, inclusive.

Page 5, at end of Table of Contents, insert:

"Sec. 147. Appropriation of funds."

Page 5, line 1, after "corporation" insert "except as used in section 143 of this act."

Page 8, strike out all after line 8 over to and including line 3 on page 9.

Page 9, line 14, after "corporations" insert "": *Provided further*, That no corporation may be organized under this act unless the place where it conducts its principal business is located within the District of Columbia."

Public Law 390 - 83d Congress
Chapter 270 - 2d Session
H. R. 2512

AN ACT

To amend the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), as amended by the Act approved July 14, 1945 (59 Stat. 467; 43 U. S. C., sec. 682a), is amended to read as follows:

Public lands.
Home site pur-
chases, etc.

"That the Secretary of the Interior, in his discretion, is authorized to sell or lease to any person or organization described in section 3 of this Act a tract of not exceeding five acres of any vacant, unreserved public lands, public lands withdrawn by Executive Orders Numbered 6910 of November 26, 1934, and 6964 of February 5, 1935, for classification, or public lands withdrawn or reserved by the Secretary of the Interior for any purposes, which the Secretary may classify as chiefly valuable for residence, recreation, business, or community site purposes, if he finds that such sale or lease of the lands would not unreasonably interfere with the use of water for grazing purposes nor unduly impair the protection of watershed areas, in reasonably compact form and under such rules and regulations as he may prescribe, at a price to be determined by him, for such use: *Provided*, That no land may be sold hereunder unless it has been surveyed. No person or organization shall be permitted to purchase or lease more than one tract under the provisions of this Act, except upon a showing of good faith and reasons satisfactory to the Secretary.

"SEC. 2. No tract shall be sold for less than the cost of making any survey necessary to describe properly the land sold. Patents for all tracts purchased under the provisions of this Act shall contain a reservation to the United States of the oil, gas, and all other mineral deposits, together with the right to prospect for, mine, and remove the same under applicable law and such regulations as the Secretary may prescribe.

Cost.
Reservation
to U. S.

"SEC. 3. A lease may be issued or a sale made under this Act to any of the following: (a) An individual who is a citizen of the United States, or who has filed his declaration of intention to become a citizen as required by the naturalization laws; (b) a partnership or an association, each of the members of which is a citizen of the United States or has filed a declaration of intention to become a citizen; (c) a corporation, including nonprofit corporations, organized under the laws of the United States, or of any State or Territory thereof, and authorized to do business in the State or Territory in which the land is located; (d) a State, Territory, municipality, or other governmental subdivision.

Lease or sale.

"SEC. 4. Any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease under this Act one tract for residence or recreation purposes in the Territory of Alaska: *Provided, however*, That any conveyance by the Secretary to such employee shall contain a provision under which said tract shall revert to the United States if used, within twenty-five years after issuance of patent for such tract, for other than residential or recreation purposes.

68 Stat. 239.
68 Stat. 240.

Dept. of
Interior em-
ployee in
Alaska.

"SEC. 5. The authority to lease lands under this Act shall extend to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon and

Oreg. and Calif.
R. R. and Coos
Bay Wagon
Road grant lands.

All 68 Stat. 240.

under the jurisdiction of the Department of the Interior, except that—

“(a) such lands shall be leased only for residential, recreational, or community site purposes and not for business purposes; and

“(b) no lease of such lands shall be made if such lease would interfere with the application of the sustained yield timber management requirement established with respect to such lands by the Act entitled ‘An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon’, approved August 28, 1937 (50 Stat. 874).”

Approved June 8, 1954.

43 USC 1181a-
1181f.